

### AMENDMENTS TO THE CLAIMS

The listing of claims will replace all prior versions, and listings, of claims in the application.

#### Listing of Claims:

1-5. Canceled.

6. (Currently amended – Rewritten in independent form) An apparatus for removing smoke, airborne particulates, gases or like by-products of operating or commercial procedures producing such by-products, comprising:

a plenum having a top wall, a bottom wall spaced apart from said top wall, a first side wall extending between said top and bottom walls and presenting an outer periphery of said plenum, and a second side wall extending between said top and bottom walls and presenting an inner periphery of said plenum, a structure defining a generally open facing adjacent to the inner periphery of said plenum, said walls defining an internal plenum chamber in fluid communication with said open facing;

vacuum means operably coupled to said plenum for creating a reduced pressure within said plenum chamber, thereby drawing said by-products through said open facing;

a support carried within said plenum chamber for maintaining said top and bottom walls in spaced apart relationship and distributing said reduced pressure along the open facing of said plenum whereby said by-products are drawn through said open facing from about said site; and  
[The invention according to claim 1, further comprising] a piece of fabric-like sheet material, said apparatus operably coupled to said piece of material.

7. (Currently amended – Rewritten in independent form) An apparatus for removing smoke, airborne particulates, gases or like by-products of operating or commercial procedures producing such by-products, comprising:

a plenum having a top wall, a bottom wall spaced apart from said top wall, a first side wall extending between said top and bottom walls and presenting an outer periphery of said

plenum, and a second side wall extending between said top and bottom walls and presenting an inner periphery of said plenum, a structure defining a generally open facing adjacent to the inner periphery of said plenum, said walls defining an internal plenum chamber in fluid communication with said open facing;

vacuum means operably coupled to said plenum for creating a reduced pressure within said plenum chamber, thereby drawing said by-products through said open facing;

a support carried within said plenum chamber for maintaining said top and bottom walls in spaced apart relationship and distributing said reduced pressure along the open facing of said plenum whereby said by-products are drawn through said open facing from about said site; and [The invention according to claim 1, further comprising] a piece of malleable material operably coupled to the plenum.

8. (Currently amended – Rewritten in independent form) An apparatus for removing smoke, airborne particulates, gases or like by-products of operating or commercial procedures producing such by-products, comprising:

a plenum having a top wall, a bottom wall spaced apart from said top wall, a first side wall extending between said top and bottom walls and presenting an outer periphery of said plenum, and a second side wall extending between said top and bottom walls and presenting an inner periphery of said plenum, a structure defining a generally open facing adjacent to the inner periphery of said plenum, said walls defining an internal plenum chamber in fluid communication with said open facing [The invention according to claim 1,] said bottom wall including an adhesive layer for adhesive attachment of said [vacuum head] apparatus around a surgical site ;

vacuum means operably coupled to said plenum for creating a reduced pressure within said plenum chamber, thereby drawing said by-products through said open facing; and

a support carried within said plenum chamber for maintaining said top and bottom walls in spaced apart relationship and distributing said reduced pressure along the open facing of said plenum whereby said by-products are drawn through said open facing from about said site .

9. (Currently amended – Rewritten in independent form) An apparatus for removing smoke, airborne particulates, gases or like by-products of operating or commercial procedures producing such by-products, comprising:

a plenum having a top wall, a bottom wall spaced apart from said top wall, a first side wall extending between said top and bottom walls and presenting an outer periphery of said plenum, and a second side wall extending between said top and bottom walls and presenting an inner periphery of said plenum, a structure defining a generally open facing adjacent to the inner periphery of said plenum, said walls defining an internal plenum chamber in fluid communication with said open facing [The invention according to claim 1] , said plenum being generally annular, said inner periphery defining an access aperture for providing access to the [site] plenum generally inside said inner periphery;

vacuum means operably coupled to said plenum for creating a reduced pressure within said plenum chamber, thereby drawing said by-products through said open facing; and

a support carried within said plenum chamber for maintaining said top and bottom walls in spaced apart relationship and distributing said reduced pressure along the open facing of said plenum whereby said by-products are drawn through said open facing from about said site .

10. (original) The invention according to claim 9, including a generally transparent film removably carried by said top wall across said access aperture.

11. (original) The invention according to claim 10, said plenum further comprising a removable portion adjacent to the access aperture whereby the access aperture may be expanded.

12. (Currently amended – Rewritten in independent form) An apparatus for removing smoke, airborne particulates, gases or like by-products of operating or commercial procedures producing such by-products, comprising:

a plenum having a top wall, a bottom wall spaced apart from said top wall, a first side wall extending between said top and bottom walls and presenting an outer periphery of said plenum, and a second side wall extending between said top and bottom walls and presenting an inner periphery of said plenum, a structure defining a generally open facing adjacent to the inner

periphery of said plenum, said walls defining an internal plenum chamber in fluid communication with said open facing [The invention according to claim 1] , wherein said plenum contains free ends to provide for flexibility of use of the apparatus ;

vacuum means operably coupled to said plenum for creating a reduced pressure within said plenum chamber, thereby drawing said by-products through said open facing; and

a support carried within said plenum chamber for maintaining said top and bottom walls in spaced apart relationship and distributing said reduced pressure along the open facing of said plenum whereby said by-products are drawn through said open facing from about said site .

13-15. Canceled.